

Date of decision: 8th January, 1996

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

Coram: S.K. KESHOTE, J  
(8-1-1996)

ORAL JUDGMENT:

None present for the petitioner. None present for the respondent.

Perused the record. Challenge to the order of termination of the petitioner is made in this petition. It is a case where the petitioner was given fixed term temporary appointment. Last extension of temporary

appointment was made upto 31st December, 1981 vide office order dated 17-7-1981. As it is a fixed term appointment it comes to an end automatically on the expiry of the period, but in the present case an order of termination has also been made on 23rd December, 1981. Provisions of section 25F of the Industrial Disputes Act, 1947 have also been applied. No right whatsoever of the petitioner has been infringed. The respondents have not committed any illegality whatsoever in terminating the services of the petitioner. In the case of Bhanmati Tapubhai Muliya vs. State of Gujarat, 1995(2) G.L.H.228, Division Bench of this Court, (Coram: B.N.Kirpal,CJ(as he then was) and H.L.Gokhale,J) held that on expiry of the term of adhoc, fixed term appointment, the employee has no right to continue on the post. As such appointment automatically comes to an end, no order of termination is necessary. In view of the aforesaid settled position of law, this petition fails.

2. In the result the writ petition is dismissed. Rule discharged. No order as to costs.

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